

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

CYNTHIA GEIGER and CRYSTAL DAVIS,

Plaintiffs,

v.

RYAN FULLER SMALLWOOD,

Defendant.

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CIVIL ACTION NUMBER:

3:06CV194-A

**ANSWER OF DEFENDANT RYAN FULLER SMALLWOOD**

Comes now the Defendant Ryan Fuller Smallwood in the above-styled action and for Answer to the numbered paragraphs of the Complaint previously filed herein states as follows:

1. The Defendant admits Paragraph 1.

2. The Defendant admits Paragraph 2.

3. The Defendant admits Paragraph 3.

4. The Defendant admits that there was a motor vehicle accident on September 24, 2004 on U.S. Highway 431 in Russell County, Alabama. The Defendant denies any negligence or wantonness.

5. The Defendant denies the allegations of Paragraph 5.
6. The Defendant denies the allegations of Paragraph 6.
7. The Defendant denies the allegations of Paragraph 7.
8. The Defendant denies the allegations of Paragraph 8.

The Defendant further denies that the Plaintiffs are entitled to Judgment against the Defendant. The Defendant denies the claim for interest and attorney's fees and respectfully submits that the claim for attorney's fees should be stricken, as there is no basis for an award of attorney's

fees in this type case.

**AFFIRMATIVE DEFENSES**

The Defendant Ryan Fuller Smallwood, having fully answered each paragraph of the Complaint, now states the following affirmative defenses to the Complaint:

**FIRST DEFENSE**

The Defendant pleads the general issue denying each and every material allegation of the Complaint and demanding strict proof thereof.

**SECOND DEFENSE**

The Defendant alleges that the Plaintiff Cynthia Geiger's negligence on the occasion complained of proximately caused or contributed to her injuries and damages and the injuries and damages of the Plaintiff Crystal Davis; therefore, the Plaintiffs are barred from recovery.

**THIRD DEFENSE**

The Defendant reserves the right to amend this Answer following additional investigation and discovery.



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Stanley A. Martin (MAR049)  
Attorney for Defendant  
Ryan Fuller Smallwood

**DEMAND FOR JURY TRIAL**

The Defendant demands trial by jury.



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Stanley A. Martin  
Attorney for Defendant  
Ryan Fuller Smallwood


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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a correct copy of the foregoing Answer and Demand for Jury Trial of Defendant Ryan Fuller Smallwood upon the following counsel of record, by depositing a copy of same in the United States Mail, properly addressed with first class postage prepaid thereon.

Honorable Benjamin H. Parr  
Post Office Box 229  
Opelika, Alabama 36803

This 28 day of February, 2006.

  
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Stanley A. Martin